

IN THE UNITED STATES DISTRICT COURT
WESTERN DIVISION OF ARKANSAS
HOT SPRINGS DIVISION

TAMMY ASHLEY

PLAINTIFF

Vs.

CASE NO. 05-6008

TENET dba
NATIONAL PARK MEDICAL CENTER

DEFENDANT

AGREED ORDER ADMINISTRATIVELY CLOSING CASE
AND REFERRING CLAIMS TO BINDING ARBITRATION

This cause came before the court upon Defendant's motion to dismiss or stay and refer claims to binding arbitration, and the court finding that the parties have subsequently agreed that this case should be administratively closed and Plaintiff's claims should be referred to final and binding arbitration in accordance with the Tenet Fair Treatment Process (FTP) and the incorporated rules of the American Arbitration Association (AAA), and the court further finding that the parties have agreed to select Frank S. Hamlin of ADR, Inc., Little Rock, Arkansas, as the Arbitrator to be appointed by the AAA,

IT IS HEREBY ORDERED that the complaint in this matter filed on January 13, 2005, is referred to final and binding arbitration in accordance with the provisions of the aforesaid FTP and AAA rules to be decided by the Arbitrator applying the same substantive law, including both remedies and defenses, that would be available had this matter been litigated in this court.

IT IS FURTHER ORDERED that the Clerk of the Court shall administratively **CLOSE** this action, subject to reopening without the necessity of a reopening filing fee upon the filing of a motion pursuant to and within the time prescribed by the Federal Arbitration Act, if either party subsequently seeks to vacate, confirm or modify the arbitrator's award.

SO ORDERED this 12th day of September, 2005.

/s/ Robert T. Dawson

UNITED STATES DISTRICT JUDGE

AGREED TO:

/s/ John P. Lewis

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